IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 29TH NOVEMBER 2007 / 8TH AGRAHAYANA 1929

OP.No. 6914 of 2000(W)

PETITIONER:

KOSHY MELEVEETTIL KOSHY,
S/O. M.K.VARGHESE,
AGED 50 YEARS, MELEVEETTIL HOUSE,
VENMONEY (P.O.),
CHENGANNOOR,
ALLEPPEY DISTRICT.

BY ADV. SRI.C.B.SREEKUMAR

RESPONDENTS:
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1. THE STATE OF KERALA REPRESENTED BY THE CHIEF SECRETARY, SECRETARIATE, THIRUVANANTHAPURAM.

2. THE REGIONAL TRANSPORT OFFICER, (THE REGISTERING AUTHORITY), CHENGANNUR.

3. THE SALES TAX OFFICER, CHENGANNUR.

BY SHRI.K.P.PRADEEP, GOVERNMENT PLEADER

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 29/11/2007, THE COURT ON 29/11/2007 DELIVERED THE FOLLOWING:

O.P.NO. 6914/2000

ORDER ON CMP NO. 11578/2000 IN O.P.NO. 6914/2000

DISMISSED.

29/11/2007 SD/- (C.N.RAMACHANDRAN NAIR, JUDGE)

APPENDIX

PETITIONER'S EXHIBITS

P1 : COPY OF THE IDENTIFICATION OF THE PETITIONER'S VEHICLE.

P1(A) : COPY OF THE ENGLISH TRANSLATION OF EXT.P1.

P2 : COPY OF THE BILL OF ENTRY FOR HOME CONSUMPTION ISSUED TO THE PETITIONER.

P3 : COPY OF THE CHALLAN NO. 99001924 OF SBI, COCHIN PORT TRUST BRANCH.

P4 : COPY OF THE INSURANCE CERTIFICATE OF THE PETITIONER'S VEHICLE.

P5 : COPY OF THE APPLICATION FOR REGISTRATION OF THE PETITIONER'S IMPORTED CAR FILED BEFORE THE 2ND RESPONDENT DATED 28/05/1999.

// TRUE COPY //

PA TO JUDGE.

jg

C.N.RAMACHANDRAN NAIR, J.

O.P. No. 6914 of 2000

Dated, this the 29th day of November, 2007

J U D G M E N T

In view of the decision in **Thressiamma L. Chirayil** Vs. **State of Kerala,** reported in 2007(1) KLT 303, the demand of entry tax for the imported car raised against the petitioner is cancelled. If SLP filed by the State against the above judgment is allowed by the Supreme Court, respondents are free to recover the entry tax, without the requirement of filing appeal in this case.

(C.N.RAMACHANDRAN NAIR, JUDGE)

jg